



U.S. Department of Justice

*United States Attorney's Office
Central District of California*

*Suria M. Bahadue
Assistant United States Attorney
Criminal Appeals Section
suria.bahadue@usdoj.gov*

*1000 United States Courthouse
312 North Spring Street
Los Angeles, California 90012
(213) 894-5487 (telephone)*

March 8, 2024

Molly Dwyer
Clerk of Court
U.S. Court of Appeals
(Via Ninth Circuit CM/ECF)

Re: *United States v. Steven Duarte*, C.A. No. 22-50048
(Arg. & Sub.—December 4, 2023—Pasadena)

Dear Ms. Dwyer:

The Government submits this letter pursuant to Federal Rule of Appellate Procedure 28(j) to correct a mistake in defendant's March 7, 2024 letter. Defendant suggests that the government, "including at oral argument," has not articulated any limitation on legislatures. That is incorrect. *See* 18:23-22:36 (discussing constitutional and political limitations). As the government articulated, the Second, Eighth, and Fourteenth Amendments, and the democratic process meaningfully limit legislatures "from redefining common behavior as felonious."

Very truly yours,

E. MARTIN ESTRADA
United States Attorney

/s/ Suria M. Bahadue

SURIA M. BAHADUE
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